

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
FLOYD O. ANDERSON, M.D., :
RESPONDENT. : **ORDER 0002202**

Division of Legal Services and Compliance¹ Case No. 12 MED 359

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Floyd O. Anderson, M.D.
4920 Killarney Dr
Golden Valley, MN 55422

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Floyd O. Anderson, M.D., (dob August 19, 1948), is licensed in the State of Wisconsin to practice medicine and surgery, having license number 19649-20, first issued on October 17, 1975, with registration current through October 31, 2013. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4920 Killarney Dr, Golden Valley, MN 55422.

¹ The Division of Legal Services and Compliance was formerly known as the Division of Enforcement.

2. Respondent is licensed to practice medicine and surgery in Minnesota. On September 8, 2012, the Minnesota Board of Medical Practice suspended Respondent's license to practice in that state, but immediately stayed the suspension based on Respondent's compliance with terms of an impairment order.

3. The Minnesota Board of Medical Practice based its order on repeat arrests related to driving under the influence of alcohol and marijuana, along with Respondent's initial refusal to participate in a voluntary monitoring program, failure to satisfactorily comply with the voluntary monitoring program and ultimately his premature withdrawal from the voluntary monitoring program. On July 16, 2012, Respondent denied a dependency to chemical substances, including alcohol.

4. In February 2011, Respondent did complete a 28-day inpatient treatment program where he was discharged with a "fair" prognosis.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Floyd O. Anderson, M.D., engaged in unprofessional conduct pursuant to Wis. Admin. Code §§ MED 10.02(2)(p) and(q).

3. As a result of the above conduct, Floyd O. Anderson, M.D., is subject to discipline pursuant to Wis. Stat. § 448.02(3).

ORDER

IT IS ORDERED that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, effective the date of this Order:

SUSPENSION

- A.1. The license of Floyd O. Anderson, M.D., to practice medicine and surgery in the State of Wisconsin is SUSPENDED for an indefinite period.
- A.2. Respondent shall not engage in the practice of medicine and surgery in any capacity unless his suspension is stayed and he is in full compliance with this Order. Respondent shall mail or physically deliver all indicia of registration to the Department Monitor within 14 days of the effective date of this Order.
- A.3. Upon a showing by Respondent of an unlimited license to practice medicine and surgery in Minnesota, the Board may grant a petition by Respondent for return of full licensure.
- A.4. The Board may, on its own motion or at the request of the Department Monitor, grant full licensure at any time.

STAY OF SUSPENSION

- B.1. The suspension is hereby stayed based upon Respondent having provided proof, which was determined by the Board or its designee to be sufficient, that Respondent is in compliance with the terms of the September 8, 2012 order of the Minnesota Board of Medical Practice (Minnesota order).
- B.2. The Board or its designee may, without hearing, remove the stay upon receipt of information that Respondent is in substantial or repeated violation of any provision of the Minnesota order. Repeated violation is defined as the multiple violation of the same provision or violation of more than one provision. The Board may, in conjunction with any removal of any stay, prohibit Respondent for a specified period of time from seeking a reinstatement of the stay under paragraph B.4.
- B.3. This suspension becomes reinstated immediately upon notice of the removal of the stay being provided to Respondent either by:
 - (a) Mailing to Respondent's last-known address provided to the Department of Safety and Professional Services pursuant to Wis. Stat. § 440.11; or
 - (b) Actual notice to Respondent or Respondent's attorney.
- B.4. The Board or its designee may reinstate the stay, if provided with sufficient information that Respondent is in compliance with the Order and that it is appropriate for the stay to be reinstated. Whether to reinstate the stay shall be wholly in the discretion of the Board or its designee.
- B.5. If Respondent requests a hearing on the removal of the stay, a hearing shall be held using the procedures set forth in Wis. Admin. Code ch. SPS 2. The hearing shall be held in a timely manner with the evidentiary portion of the hearing being completed within 60 days of receipt of Respondent's request, unless waived by Respondent. Requesting a hearing does not stay the suspension during the pendency of the hearing process.

LIMITATIONS

- C.1. The license to practice medicine and surgery of Respondent is LIMITED as set forth in Wis. Stat. § 448.02(3)(e), and as follows:
- C.2. Respondent must remain in compliance with each term of the September 8, 2012, Order of the Minnesota Board of Medical Practice (Minnesota order) to the satisfaction of the Board or its designee.
 - a. Respondent is hereby on notice that the Wisconsin Medical Examining Board may consider any violation of the Minnesota order a violation of the terms of this Final Decision and Order; Respondent may therefore be subject to additional discipline by the Wisconsin Medical Examining Board, pursuant to Wis. Admin Code § MED 10.02(2)(b).

- b. For purposes of this Order, the Wisconsin Medical Board accepts the Parties' Stipulation that the Wisconsin Medical Examining Board will accept any final determination by the Minnesota Board of Medical Practice that Respondent violated the Minnesota order as conclusive evidence that Respondent did violate the terms of the Minnesota order.
- c. This LIMITATION will be removed upon Respondent proving to the satisfaction of the Board or its designee that he fully satisfied the terms of the Minnesota order and his license to practice medicine and surgery in Minnesota is unrestricted.

IT IS FURTHER ORDERED that:

- D.1. Within 90 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$200.00.
- D.2. Payment of forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

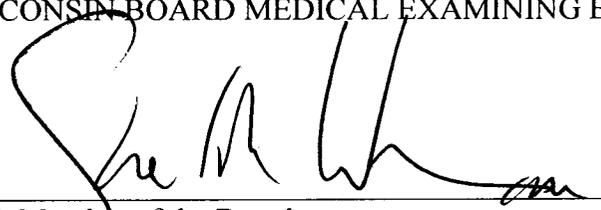
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

- D.3. Violation of any term of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the forfeiture and costs as ordered, Respondent's license (no. 19649-20) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the forfeiture and costs.

This Order is effective on the date of its signing.

WISCONSIN BOARD MEDICAL EXAMINING BOARD

by:


A Member of the Board

12/12/12
Date